

DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATION

(x) Original () Supplemental () Substitute () PCT () Design

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: Method of Forming an Oxygen-or Nitrogen-Terminated Silicon

Nanocrystalline Structure and an Oxygen-or Nitrogen-Terminated Silicon

Nanocrystalline Structure Formed By the Method

of which is described and claimed in:

(X) the attached specification, or

() the specification in the application Serial No. _____ filed _____;
and with amendments through _____ (if applicable), or

() the specification in International Application No. PCT/ _____, filed _____, and as amended
on _____ (if applicable).

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| COUNTRY | APPLICATION NO. | DATE OF FILING | PRIORITY CLAIMED |
|---------|-----------------|-----------------|------------------|
| Japan | 2002-243342 | August 23, 2002 | Yes |
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

| APPLICATION SERIAL NO. | U.S. FILING DATE | STATUS: PATENTED, PENDING, ABANDONED |
|------------------------|------------------|--------------------------------------|
| | | |
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| | | |

And I hereby appoint John T. Miller, Reg. No. 21,120; Michael R. Davis, Reg. No. 25,134; Matthew M. Jacob, Reg. No. 25,154; Jeffrey Nolton, Reg. No. 25,408; Warren M. Cheek, Jr., Reg. No. 33,367; Nils E. Pedersen, Reg. No. 33,145 and Charles R. Watts, Reg. No. 33,142, who together constitute the firm of WENDEROTH, LIND & PONACK, L.L.P., attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby authorize the U.S. attorneys named herein to accept and follow instructions from Suzuki Shoji Patent Agency as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

Send Correspondence to

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Washington, DC 20006

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| | | | |
|------------------------------|---|------------------------------|------------------------------------|
| Full Name of First Inventor | FAMILY NAME NUMASAWA | FIRST GIVEN NAME Yoichiro | SECOND GIVEN NAME |
| Residence & Citizenship | CITY Tokyo | STATE OR COUNTRY Japan | COUNTRY OF CITIZENSHIP Japan |
| Post Office Address | ADDRESS c/o ANELVA Corporation 8-1, Yotsuya 5-chome, Fuchu-shi, Tokyo | CITY | STATE OR COUNTRY 183-8508 Japan |
| Full Name of Second Inventor | FAMILY NAME MURAO | FIRST GIVEN NAME Yukinobu | SECOND GIVEN NAME |
| Residence & Citizenship | CITY Tokyo | STATE OR COUNTRY Japan | COUNTRY OF CITIZENSHIP Japan |
| Post Office Address | ADDRESS c/o ANELVA Corporation 8-1, Yotsuya 5-chome, Fuchu-shi, Tokyo | CITY | STATE OR COUNTRY 183-8508 Japan |
| Full Name of Third Inventor | FAMILY NAME | FIRST GIVEN NAME | SECOND GIVEN NAME |
| Residence & Citizenship | CITY | STATE OR COUNTRY | COUNTRY OF CITIZENSHIP |
| Post Office Address | ADDRESS | CITY | STATE OR COUNTRY ZIP CODE |
| Full Name of Fourth Inventor | FAMILY NAME | FIRST GIVEN NAME | SECOND GIVEN NAME |
| Residence & Citizenship | CITY | STATE OR COUNTRY | COUNTRY OF CITIZENSHIP |
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| | | | |
|-------------------------------|-------------|------------------|---------------------------|
| Full Name of Fifth Inventor | FAMILY NAME | FIRST GIVEN NAME | SECOND GIVEN NAME |
| Residence & Citizenship | CITY | STATE OR COUNTRY | COUNTRY OF CITIZENSHIP |
| Post Office Address | ADDRESS | CITY | STATE OR COUNTRY ZIP CODE |
| Full Name of Sixth Inventor | FAMILY NAME | FIRST GIVEN NAME | SECOND GIVEN NAME |
| Residence & Citizenship | CITY | STATE OR COUNTRY | COUNTRY OF CITIZENSHIP |
| Post Office Address | ADDRESS | CITY | STATE OR COUNTRY ZIP CODE |
| Full Name of Seventh Inventor | FAMILY NAME | FIRST GIVEN NAME | SECOND GIVEN NAME |
| Residence & Citizenship | CITY | STATE OR COUNTRY | COUNTRY OF CITIZENSHIP |
| Post Office Address | ADDRESS | CITY | STATE OR COUNTRY ZIP CODE |

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1st Inventor Yoichiro NUMASAWA Date June 20, 2003
 2nd Inventor Yukinobu MURAO Date June 20, 2003
 3rd Inventor _____ Date _____
 4th Inventor _____ Date _____
 5th Inventor _____ Date _____
 6th Inventor _____ Date _____
 7th Inventor _____ Date _____

The above application may be more particularly identified as follows:

U.S. Application Serial No. _____ Filing Date _____
 Applicant Reference Number 3648US2003 Atty Docket No. _____
 Title of Invention Method of Forming an Oxygen-or Nitrogen-Terminated Silicon
Nanocrystalline Structure and an Oxygen-or Nitrogen-Terminated Silicon
Nanocrystalline Structure Formed By the Method

RECORDATION FORM COVER SHEET

PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Assistant Secretary and Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies) thereof.

1. Name of conveying party(ies):

Yoichiro NUMASAWA and Yukinobu MURAO

Additional name(s) of conveying party(ies) attached? No

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: June 20, 2003

2. Name and address of receiving party(ies):

Name: ANELVA CORPORATIONStreet Address: 8-1, Yotsuya 5-chome, Fuchu-shiCity: Tokyo Country: JapanAdditional name(s) & address(es) attached? No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: June 20, 2003

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: WENDEROTH, LIND & PONACK, L.L.P.
Attn: Michael R. Davis, Esq.

Street Address: 2033 K Street, N.W., Suite 800City: Washington, State: DC ZIP: 20006-10216. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41). \$40.00

☒ Enclosed (Check No. _____)
 Authorized to be charged to deposit account

8. Deposit account number: 23-0975

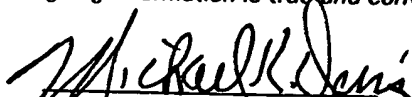
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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael R. Davis, Reg. No. 25,134
 Name of Person Signing


 Signature

August 22, 2003
 Date

Total number of pages including cover sheet: 3

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information:

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 Washington, D.C. 20231

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ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid to each of the undersigned

Yoichiro NUMASAWA

Yukinobu MURAO

Insert Name(s)
of Inventor(s)

the undersigned hereby sell(s) and assign(s) to

Insert Name(s)
of Assignee(s)

ANELVA CORPORATION

Address

of 8-1, Yotsuya 5-chome, Fuchu-shi, Tokyo 183-8508 Japan

(hereinafter designated as the Assignee) the entire right, title and interest for the United States as defined in 35 USC 100, in the invention known as

Title of
Invention

Method of Forming an Oxygen-or Nitrogen-Terminated Silicon
Nanocrystalline Structure and an Oxygen-or Nitrogen-Terminated

Date of Signing
of Application

Silicon Nanocrystalline Structure Formed By the Method
for which an application for patent in the United States has been executed by the undersigned on
June 20, 2003

The undersigned agree(s) to execute all papers necessary in connection with this application and any continuing, divisional or reissue applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation, division or reissue thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patents of the United States resulting from said application or any division or divisions or continuing or reissue applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed, and will not execute, any agreement in conflict herewith.

The undersigned hereby grant(s) the firm of WENDEROTH, LIND & PONACK, L.L.P., 2033 K Street, N.W., Suite 800, Washington, DC 20006, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordation of this document.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date June 20, 2003, Name of Inventor Yoichiro NUMASAWA
Date June 20, 2003, Name of Inventor Yukinobu MURAO
Date _____, Name of Inventor _____
Date _____, Name of Inventor _____
Date _____, Name of Inventor _____
Date _____, Name of Inventor _____

(This assignment should preferably be acknowledged before a United States Consul. If not, then the execution by the Inventor(s) should be witnessed by at least two witnesses who sign here.)

Witness Hiroko Furihata

Witness Michiko Itabashi

ACKNOWLEDGEMENT

_____ } ss

This _____ day of _____, _____, before me
personally came the above-named _____

to me personally known as the individual(s) who executed the foregoing assignment, who did acknowledge to me that he (they) executed the same of his (their) own free will for the purposes therein set forth.

SEAL

Official Signature

Official Title

The above application may be more particularly identified as follows:

U.S. Application Serial No. _____ Filing Date _____
Applicant Reference Number 3648US2003 Atty Docket No. _____
Title of Invention Method of Forming an Oxygen-or Nitrogen-Terminated Silicon
Nanocrystalline Structure and an Oxygen-or Nitrogen-Terminated
Silicon Nanocrystalline Structure Formed By the Method